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United States Senate

COMMITTEE ON
GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

May 22, 2002

The Honorable Spencer Abraham
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Secretary Abraham:

By letter today, the Senate Governmental Affairs Committee requested certain information from the Department of Energy ("the Department"). The information was sought as part of the Committee's ongoing investigation into the collapse of Enron Corporation and the actions of various federal agencies that were charged with overseeing or regulating part of Enron's business or that provided financial assistance to Enron. Pursuant to its jurisdiction to investigate the efficiency and economy of operations of all branches of the government (S. Res. 54, 107th Congress), the Committee now seeks the additional information set forth below.

Please interpret the term "the Department" to include all agencies, units, divisions or offices within the Department of Energy and all of their officers, employees, representatives and contractors, including but not limited to Federally Funded Research and Development Centers, and including anyone purporting to act on the Department of Energy's behalf. Please interpret the term "Executive Office of the President" to include the Executive Office of the President and all of its units and all of their officials, employees and representatives, including the President and Vice President of the United States. Please interpret the term "Enron" to include Enron Corp., Enron Capital Trust I and Enron Capital Trust II; their officers, directors, employees, and representatives, including anyone purporting to act on their behalf; and each of their affiliates, subsidiaries, partnerships, special purpose entities, joint ventures, trusts or any other entity in which Enron Corp., Enron Capital Trust I, or Enron Capital Trust II is or was a shareholder, partner, investor, trustee, or member. In addition, please interpret the term "communications" to mean all communications, whether written, oral, electronic, in-person or through any other means. Finally, when identifying individuals in response to these questions, please give their full name, title and the company, agency, or Department of Energy office for which they work(ed).

Please list all communications between the Department and other federal departments or agencies or the Executive Office of the President from January 1, 1992 to December 2, 2001 referring or relating to Enron. For each such communication, please identify:

The Honorable Spencer Abraham
May 22, 2002
Page 2

- a) who sent the communication
- b) who received the communication
- c) the date of the communication
- d) the subject matter of the communication
- e) any action taken in response to the communication
- f) for any meetings responsive to this request, the date of the meeting and all those who attended the meeting.

You need not include communications listed in your response to paragraph 13 of the Committee's other letter of today.

The Committee would appreciate your prompt attention to this request, but in any event seeks a response no later than June 7, 2002. Should you believe that your response to this letter will require the disclosure of confidential information, please let us know in advance of this date so that we may determine whether alternate arrangements for production are appropriate. Please contact David Berick of my staff at (202) 224-2627 in response to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Lieberman", with a stylized flourish at the end.

Joseph I. Lieberman
Chairman

JOSEPH I. LIEBERMAN, CONNECTICUT. CHAIRMAN

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United States Senate

**COMMITTEE ON
GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250**

FAX TRANSMITTAL

Phone: (202) 224-4751

Fax (202) 224-9603

TO: MICHAEL IVANNENKO 586-4891

FR: BILL OUTNIE

Date: 6-5-02 Time: 5:45 PM

Number of pages to follow: 5

Message: _____

011091

JOSEPH I. LIEBERMAN, CONNECTICUT, CHAIRMAN

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United States Senate

COMMITTEE ON
 GOVERNMENTAL AFFAIRS
 WASHINGTON, DC 20510-6250

June 5, 2002

The Honorable Spencer Abraham
 Secretary
 U.S. Department of Energy
 1000 Independence Avenue, S.W.
 Washington, DC 20585

Dear Secretary Abraham:

The Senate Governmental Affairs Committee has requested certain information from the Department of Energy ("the Department"). The information was sought as part of the Committee's ongoing investigation into the collapse of Enron Corporation and the actions of various federal agencies that were charged with overseeing or regulating part of Enron's business or that provided financial assistance to Enron. In addition to that request, I request the additional information outlined below.

Please interpret the term "the Department" to include all agencies, units, divisions or offices within the Department of Energy and all of their officers, employees, representatives and contractors, including but not limited to Federally Funded Research and Development Centers, and including anyone purporting to act on the Department of Energy's behalf. Please interpret the term "Enron" to include Enron Corp., Enron Capital Trust I and Enron Capital Trust II; their officers, directors, employees, and representatives, including anyone purporting to act on their behalf; and each of their affiliates, subsidiaries, partnerships, special purpose entities, joint ventures, trusts or any other entity in which Enron Corp., Enron Capital Trust I, or Enron Capital Trust II is or was a shareholder, partner, investor, trustee, or member. In addition, please interpret the term "communications" to mean all communications, whether written, oral, electronic, in-person or through any other means. Finally, when identifying individuals in response to these questions, please give their full name, title and the company, agency, or Department of Energy office for which they work(ed).

1) Please identify all instances in which the Department provided financial, technical or other assistance to Enron since January 1, 1992. For each instance, please indicate:

- a) the date Enron applied for or requested such assistance;
- b) a description of the project for which Enron sought the assistance;
- c) the date the Department approved the assistance;
- d) the date the Department provided the assistance;
- e) the total cost of the assistance;

The Honorable Spencer Abraham
Page 2

f) the entity to which the assistance was provided.

2) For each instance listed in response to Question 1, please list and briefly describe any documents, materials, or other information that Enron submitted as part of or subsequent to any application or request for assistance.

3) For each instance listed in response to Question 1, please describe in detail the process by which the Department reviewed each individual application or request and please list any Department officer, employee or representative who reviewed, evaluated, or considered in any way each such application or request. In addition, please describe the normal process by which such applications or requests for assistance are reviewed, evaluated and considered by the Department.

4) For each instance listed in response to Question 1, please list and describe any meeting(s) or communications between representatives of the Department and any other person outside the federal government, in which the assistance was discussed. Include the date of any such meeting(s) or communications, all participants, and the method of communication.

5) For each instance listed in response to Question 1, please indicate whether any Department officer, employee or representative ever raised any concerns about Enron's financial condition, its accounting procedures, the transparency and viability of its business model, or future financial viability or whether any other person or entity ever raised such concerns to the Department. If any such concern was ever raised, please identify the person or entity who raised the concern, the date on which the concern was raised, the person to whom the concern was raised, and describe what action was taken as a result of the concern being raised.

6) Please identify all instances in which Enron applied for or requested financial, technical or other assistance of the Department since January 1, 1992 which is still pending with the Department or for which the department denied the application or request. For each instance, please list:

- a) the date Enron applied for or requested such assistance;
- b) a description of the project for which Enron sought the assistance;
- c) the date the Department turned down or otherwise rejected the application or request;
- d) the total cost of the assistance requested;
- e) the entity for which the assistance was requested;
- f) the current status of any pending application or request including when a decision is anticipated

7) For each instance listed in response to Question 6, please list and briefly describe any

The Honorable Spencer Abraham
Page 3

documents, materials, or other information that Enron submitted as part of or subsequent to each application.

8) For each instance listed in response to Question 6, please describe in detail the process by which the Department reviewed each individual application and please list any Department officer, employee or representative who reviewed, evaluated, or considered in any way each such application.

9) For each instance listed in response to Question 6, please list and describe any meeting(s) or communications between the Department and any other person outside the federal government, in which the assistance was discussed. Include the date of any such meeting(s) or communications, all participants, and the method of communication.

10) For each instance listed in response to Question 6, please indicate whether anyone within the Department ever raised any concerns about Enron's financial condition, its accounting procedures, the transparency and viability of its business model, or future financial viability or whether any other person or entity ever raised such concerns to the Department. If any such concern was ever raised, please identify the person or entity who raised the concern, the date on which the concern was raised, the person to whom the concern was raised, and describe what action was taken as a result of the concern being raised.

11) Please identify all trips abroad in which Enron accompanied the Energy Secretary or any other Department officer, employee or representatives, the purpose of which was to assist in the promotion of Enron's business or to introduce Enron officials to responsible officials in foreign countries for the purpose of promoting Enron's business, since January 1, 1992. For each such trip, please list:

- a) the date of the trip;
- b) a list of all those participating in the trip;
- c) an itinerary for the trip including destinations and events;
- d) a description of any specific business ventures that were the subject of the trip.

12) For each trip listed in response to Question 11, please list and briefly describe any documents, materials, or other information that Enron submitted to the Department as part of or subsequent to each trip.

13) For each trip listed in response to Question 11, please describe in detail the process by which the Department reviewed Enron's potential participation and please list any Department officer, employee or representative who reviewed, evaluated, or considered in any way Enron's participation. In addition, please describe the normal process by which potential participants for

The Honorable Spencer Abraham
Page 4

trade missions are reviewed, evaluated and considered by the Department.

14) For each trip listed in response to Question 11, please list and describe any meeting(s) or communications between Department officers, employees or representatives and any other person outside the federal government, in which Enron's participation was discussed. Include the date of any such meeting(s) or communications, all participants, and the method of communication.

15) For each such trip listed in response to Question 11, please indicate whether any Department officer, employee or representative ever raised any concerns about Enron's financial condition, its accounting procedures, the transparency and viability of its business model, or future financial viability or whether any other person or entity ever raised such concerns to the Department. If any such concern was ever raised, please identify the person or entity who raised the concern, the date on which the concern was raised, the person to whom the concern was raised, and describe what action was taken as a result of the concern being raised.

16) Please list all communications between the Department and other federal departments from January 1, 1992 to December 2, 2001 concerning any approved or pending application or request for financial, technical or other assistance by Enron, any trips abroad in which Enron accompanied the Energy Secretary or any other Department officer, employee or representatives, or concerning compliance with, interpretation of, exemption or waiver from, changes to, enforcement of, or any regulatory action with respect to the laws, regulations, and policies administered or enforced by the Department and specifically referring or relating to Enron. For each such communication, please identify:

- a) who sent the communication;
- b) who received the communication;
- c) the date of the communication;
- d) the subject matter of the communication;
- e) any action taken in response to the communication;
- f) for any meetings responsive to this request, the date of the meeting and all those who attended the meeting.

The Honorable Spencer Abraham
Page 5

I would appreciate your prompt attention to this request, but in any event seek a response no later than June 19, 2002. Should you believe that your response to this letter will require the disclosure of confidential information, please let me know in advance of this date so that we may determine whether alternate arrangements for production are appropriate. Please contact Bill Outhier of my staff at (202) 224-4751 in response to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Thompson", with a stylized, cursive script.

Fred Thompson
Ranking Member

cc: Sen. Joseph I. Lieberman

JOSEPH I. LIEBERMAN, CONNECTICUT, CHAIRMAN

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RICHARD A. HERTLING, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON
GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

May 22, 2002

The Honorable Spencer Abraham
Secretary
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

Dear Secretary Abraham:

The collapse of Enron Corporation has served as a wake-up call for the nation's employees, investors and governmental leadership. When Enron filed for bankruptcy in December 2001, it marked the largest corporate failure in United States history. But it is not merely the magnitude of the collapse that makes this a matter of significant public concern. Rather, what is particularly troubling is the extent to which Enron's unraveling appeared to catch the regulatory and financial communities unaware.

The rapid collapse of what ranked in 2001 as the nation's fifth largest company demands public scrutiny. Given Enron's size, its bankruptcy financially imperiled thousands of employees, as well as a far broader universe of shareholders. Just as importantly, it has undermined public confidence in the market system, which depends on investors buying and selling stock based on honest reporting and fair appraisals of a company's worth.

In the wake of Enron's financial demise, the public has been asking many questions – not only about whether employees and shareholders can rely on the market to offer them fair and complete information about companies in which they wish to invest, but also whether they can depend on the government to protect them against wrongdoing by corporate and market insiders.

Pursuant to its jurisdiction to investigate the efficiency and economy of operations of all branches of the government (S. Res. 54, 107th Congress), the Senate Governmental Affairs Committee is seeking to answer some of those questions. The Committee is trying to find out whether the various federal agencies charged with overseeing or regulating part of Enron's business could have done something to detect or prevent the problems that led to the company's downfall and the losses of thousands of jobs and billions of investors' and employees' dollars. What oversight did federal regulators provide to Enron's activities? Was there more that could or should have been done to avert the collapse? Do agencies need additional authorities to be able to help provide effective oversight?

With regard to the Department of Energy, the Committee seeks the information outlined below. Please interpret the term "the Department" to include all agencies, units, divisions or offices within the Department of Energy and all of their officers, employees, representatives and contractors, including but not limited to Federally Funded Research and Development Centers, and including anyone purporting to act on the Department of Energy's behalf. Please interpret the term "Executive Office of the President" to include the Executive Office of the President and all of its units and all of their officials, employees and representatives, including the President and Vice President of the United States. Please interpret the term "Enron" to include Enron Corp., Enron Capital Trust I and Enron Capital Trust II; their officers, directors, employees, and representatives, including anyone purporting to act on their behalf; and each of their affiliates, subsidiaries, partnerships, special purpose entities, joint ventures, trusts or any other entity in which Enron Corp., Enron Capital Trust I, or Enron Capital Trust II is or was a shareholder, partner, investor, trustee, or member. In addition, please interpret the term "communications" to mean all communications, whether written, oral, electronic, in-person or through any other means. Finally, when identifying individuals in response to these questions, please give their full name, title and the company, agency, or Department of Energy office for which they work(ed).

1) Please list all applications submitted to the Department by Enron since January 1, 1992 for authorization for the export or import of electricity or natural gas. For each such application, please provide:

- a) a brief description of the nature of the application
- b) the date of the application
- c) whether the application was approved or denied and a description of the reasons for the action taken
- d) the date the application was approved or denied
- e) the names, titles, and employing offices of the individuals who reviewed the application.

2) Please list all applications to the Department by Enron since January 1, 1992 for so-called "Presidential permits" for the construction and operation of energy transmission facilities that cross U.S. international borders. For each such application, please provide:

- a) a brief description of the nature of the project for which the application was submitted
- b) the date of the application
- c) whether the application was approved or denied and a description of the reasons for the action taken
- d) the date the application was approved or denied
- e) the names, titles, and employing offices of the individuals who reviewed the application.

- 3) a) Please identify the subject areas in which the Department has or had regulatory authority over Enron.
- b) Excluding the matters covered by paragraphs 1 and 2 above, please describe any regulatory action the Department took specifically regarding Enron since January 1, 1992, indicate the date of the action and identify the Department employees, officers, representatives or contractors involved in the action.

4) Please list any energy sale, purchase or transmission transaction between Enron and any Power Marketing Administration since January 1, 1992. For each such transaction, please indicate:

- a) the nature of the transaction
- b) the date of the transaction
- c) the Enron division, unit, subsidiary or affiliate that was a party to the transaction
- d) the specific Power Marketing Administration that was a party to the transaction
- e) any economic analyses performed or ordered by the Department in connection with the transaction, including in connection with the decision to enter the transaction
- f) any Department employees, officers, representatives or contractors significantly involved in the transaction.

5) Please list all proposals, recommendations, or comments provided by Enron to the Energy Information Administration, or any other communications between Enron and the Energy Information Administration, from January 1, 1992 to December 2, 2001, concerning the process of collecting and reporting energy data. In addition, please identify, briefly describe, and provide the date of preparation for any analyses performed by the Department in connection with the evaluation of such proposals, recommendations or comments, and please identify the individuals who prepared, or supervised the preparation of, the analyses.

6) Please list all communications received by the Department from January 1, 1992 to December 2, 2001, which raised any questions or indicated any concerns about whether Enron was following the laws, rules, and policies administered and/or enforced by the Department or which otherwise complained in any way about the activities of Enron. For each such communication, please identify:

- a) the sender(s) of the communication
- b) the recipient(s) of the communication
- c) the date the communication was received by the Department

- d) the subject matter of the communication
- e) the individuals involved in processing or evaluating the communication
- f) any action taken by the Department in response to the communication
- g) for any meeting, the date of the meeting and all those who attended the meeting.

7) Please list all communications generated or distributed within the Department from January 1, 1992 to December 2, 2001, which raised any questions or indicated any concerns about whether Enron was following the laws, rules, and policies administered and/or enforced by the Department or which otherwise complained in any way about the activities of Enron. For each such communication, please identify:

- a) the sender(s) of the communication
- b) the recipient(s) of the communication
- c) the date the communication was generated or distributed
- d) the subject matter of the communication
- e) the individuals involved in processing or evaluating the communication
- f) any action taken by the Department in response to the communication
- g) for any meeting, the date of the meeting and all those who attended the meeting

8) Please list all investigations or analyses, whether formal or informal, of Enron or its practices initiated by the Department since January 1, 1992. For each investigation or analysis listed, please indicate:

- a) the date the investigation or analysis was begun
- b) the subject matter of the investigation or analysis
- c) the basis for undertaking the investigation or analysis
- d) who conducted the investigation or analysis and who supervised it
- e) the findings or conclusions of the investigation or analysis
- f) any action taken by the Department as a result of the investigation or analysis
- g) the date the investigation or analysis was completed.

9) Please list all enforcement actions, whether formal or informal, judicial or non-judicial, administrative or non-administrative, including but not limited to warning letters, civil or criminal legal actions, cease-and-desist orders, injunctions, consent decrees and other settlements, suspensions, fines, redress or disgorgement, or other efforts to correct or penalize noncompliance with applicable law and regulations, or any other remedial action taken by the Department since January 1, 1992 against Enron. For each such enforcement action, please state the basis for the action and the date of the action.

10) Please list all communications between Enron and the Department from January 1, 1992 to December 2, 2001, excluding publicly available periodic filings required by law.

- a) For any meetings, whether in-person or through telephone or videoconferencing, please identify:
 - i) who initiated the meeting
 - ii) all those who were present at the meeting
 - iii) the subject matter(s) of the meeting
 - iv) the date of the meeting
 - v) any action taken by the Department in response to the meeting.
- b) For all other communications, please identify:
 - i) the sender(s) of the communication
 - ii) the recipient(s) of the communication
 - iii) the date of the communication
 - iv) the subject matter of the communication
 - v) any action taken by the Department in response to the communication.

11) Please list all instances in which the Department provided financial assistance to Enron, or in which Enron applied for or requested financial assistance from the Department, since January 1, 1992. For each instance, please indicate:

- a) the date Enron applied for or requested such assistance
- b) a description of the project or purpose for which the assistance was sought
- c) the date the Department approved or denied the assistance
- d) the date the Department provided the assistance
- e) the dollar amount of the assistance provided
- f) the entity to which the assistance was provided.

12) From January 1, 1992 to December 2, 2001, did the Department ever review the financial situation of Enron (including but not limited to a review of Enron's financial statements)? For each such review:

- a) Please describe the circumstances under which such a review was conducted and the nature of the materials reviewed.
- b) Indicate whether any officer, employee or representative of the Department ever raised any concern about Enron's financial condition, its accounting procedures, the transparency and viability of its business model, or future financial viability? Were such concerns ever raised by anyone to the Department?

- c) If any such concern was raised, please specify:
 - i) the person or entity who raised the concern
 - ii) the date on which the concern was raised
 - iii) the person to whom the concern was raised
 - iv) any action taken as a result of the concern being raised.

13) Please list all communications between the Department and other federal departments or agencies from January 1, 1992 to December 2, 2001 concerning compliance with, interpretation of, exemption or waiver from, changes to, enforcement of, or any regulatory action with respect to the laws, regulations, and policies administered or enforced by the Department and specifically referring or relating to Enron or concerning any financial assistance for Enron or request for financial assistance by Enron. For each such communication, please identify:

- a) who sent the communication
- b) who received the communication
- c) the date of the communication
- d) the subject matter of the communication
- e) any action taken in response to the communication
- f) for any meetings responsive to this request, the date of the meeting and all those who attended the meeting.

The Committee would appreciate your prompt attention to this request, but in any event seeks a response no later than June 7, 2002. Should you believe that your response to this letter will require the disclosure of confidential information, please let us know in advance of this date so that we may determine whether alternate arrangements for production are appropriate. Please contact David Berick of Senator Lieberman's staff at (202) 224-2627 and Bill Outhier of Senator Thompson's staff at (202) 224-4751 in response to this request.

Sincerely,



Joseph I. Lieberman
Chairman



Fred Thompson
Ranking Member



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

May 28, 2002

VIA FACSIMILE

The Honorable Lee Liberman Otis
General Counsel
Department of Energy
1000 Independence Avenue, SW
Forrestal Building
Room 6A245
Washington, D.C. 20585

Dear Ms. Otis:

As part of an official inquiry being conducted by a Department of Justice Task Force examining various matters relating to the Enron Corporation ("Enron"), we previously have asked the Department of State to preserve certain records. By this letter, we now ask that you provide certain specific records and information for review by the Task Force.

Specifically, we request that you make available records of any contacts between Department of Energy personnel and anyone acting on behalf of Enron Corporation for the period from January 1, 1999 through the present, as well as records of any actions taken by the Department of Energy as a result of such contacts.

The term "records" includes any correspondence, emails, memoranda, notes or similar materials. The term "acting on behalf of Enron Corporation" includes any present or former officer, director or employee of Enron (or of any entity identified as an affiliated, subsidiary or related-party entity of Enron) as well as anyone who the Department of Energy was aware was representing Enron's financial/regulatory interests. Finally, we request that you make available any documents, including letters, provided to Congress in connection with any congressional inquiries relating to Enron.

To aid in your search, please provide all documents relating to the following entities:

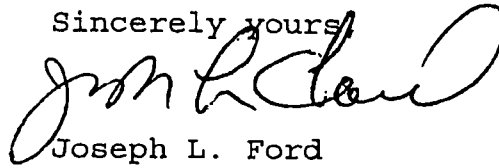
AZURIX (Also known as "Wessex Water", "Atlantic Water Trust",
"Marlin Water Trust")
Blackhawk
Bobcat

Catalytica
Cherokee
Chewco
Condor
Cuiaba (Brazil)
Dabhol (India)
Enron Corp.
Enron Energy Services
Enron Broadband Services
Enron Americas
Enron Europe
Enron Global Markets
Enron Net Works
Enron Industrial Markets
JEDI I
JEDI II
LJM I
LJM II
LJM III
Mahonia
Mariner
The New Power Company
Nigerian Power Barges (Nigeria)
Nowa Sarzyna (Poland)
Osprey
Porcupine
Portland (Oregon) Gas & Electric
Rawhide
Raptor I
Raptor II
Raptor III
Raptor IV
RhythmsNet Connection
Southampton LLP
Southampton Place LLP
Stoneville Aegean
Talon
Timberwolf
Whitewing
Yosemite

We ask that you make the requested records and information available for review at your earliest convenience, and that you contact FBI Special Agent Charles Margiotta at telephone number 202-324-0063, to schedule the review.

Any questions can be directed to me at telephone number
202-324-0062.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "J L Ford", written in dark ink.

Joseph L. Ford
Inspector in Charge